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Response to Restriction Requirement dated August 14, 2009

REMARKS

The Examiner has required restriction under 35 U.S.C. §121 and 372, between one of the following groups, which the Examiner has characterized as follows:

Group I:

Claims 1-16, drawn to a powdered formulation;

Group II:

Claims 17-22, drawn to a method for preparing a powdered formulation;

Group III:

Claims 23-24, drawn to a method for medical treatment; and

Group IV:

Claim 25, drawn to a method of reducing hygroscopicity of a freeze dried

formulation.

Applicants provisionally elect, with traverse, to prosecute Group I, which corresponds to claims 1-16, drawn to a powdered formulation. Applicants reserve the right to pursue the nonelected subject matter in one or more divisional applications.

It is respectfully submitted that a search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. In this regard, Applicants respectfully submit that the Examiner would not hesitate to cite disclosures relating to one group against the remaining groups. For these reasons, Applicants maintain that a coextensive field of search seems virtually mandated and would not present an undue burden.

No fees are believed to be due with this Communication. However, the Commissioner is hereby authorized to charge payment of any fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

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Favorable action is earnestly solicited. If there are any questions or if additional information is required, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted, *

Andrea M. Wilkovich Registration No.: 53,773

HOFFMANN & BARON, LLP 6900 Jericho Turnpike Syosset, New York 11791 (973) 331-1700